



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
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September 24, 2019

RE: ORDER OF THE COMMISSIONER OF PUBLIC HEALTH PURSUANT TO THE  
GOVERNOR'S SEPTEMBER 24, 2019 DECLARATION OF A PUBLIC HEALTH  
EMERGENCY (Temporary Ban on Sale or Display of Vaping Products)

On September 24, 2019, Governor Charles D. Baker declared a public health emergency in the Commonwealth due to severe lung disease associated with the use of e-cigarettes and vaping products, and the epidemic of e-cigarette use among youth. A copy of the Governor's Declaration is attached at Appendix A. As of September 19, 2019, the federal Centers for Disease Control and Prevention (CDC) had confirmed 530 cases across 38 states and U.S. territories, including seven fatalities in six different states. The commonality in all reported cases is a history of vaping, and a history of using vaping products containing tetrahydrocannabinol (THC), nicotine, or a combination of both.

With the goal of protecting the health of Massachusetts residents, and in accordance with Governor Baker's public health emergency declaration and with the approval of the Public Health Council, I issued an Order which provides in part:

The sale or display of all vaping products to consumers in retail establishments, online, and through any other means, including all non-flavored and flavored vaping products, including mint and menthol, including tetrahydrocannabinol (THC) and any other cannabinoid, is prohibited in the Commonwealth.

The purpose of this letter is to inform Massachusetts retailers of the Order, a copy of which is attached at Appendix B. The Order is effective immediately, and you must remove all vaping products from display and you must stop selling all vaping products. This order is effective immediately and remains in effect until January 25, 2020, and may be further extended.

This Order may be enforced by state and local officials, and failure to comply may result in fines or other penalties.